

Message Text

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60

ORIGIN EUR-12

INFO OCT-01 ISO-00 IO-10 L-02 CIAE-00 DODE-00 PM-03 H-02

INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

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FM SECSTATE WASHDC

TO AMEMBASSY PARIS

INFO AMEMBASSY BONN

USMISSION USBERLIN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

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E.O. 11652: N/A

TAGS: PFOR, WB, US, UK, FR, UN, PO; CZ, UNESCO, IAEA,

WMO, GW

SUBJECT: REPLIES TO VARIOUS PROTESTS RELATING TO FRG

REPRESENTATION OF WEST BERLIN.

REF: (A) STATE 71446 (B) BONN A-628, DECEMBER 31, 1974

FOR US PERM REP UNESCO

1. FOLLOWING CONSULTATIONS IN BONN GROUP, THREE ALLIES
(US, UK, FRANCE) TOGETHER WITH FRG HAVE AGREED ON FINAL

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FORM OF REPLIES TO SUBJECT PROTESTS. TEXTS OF REPLIES TO

BE DELIVERED AT UNESCO FOLLOW BELOW. PRIOR TO DELIVERY,
REQUEST YOU COORDINATE WITH UK, FRENCH AND FRG
REPRESENTATIVES TO VERIFY ACCURACY OF TEXTS AND AGREE ON
MODALITIES OF DELIVERY.

2. FOLLOWING REPLIES ARE KEYED TO REF B CATEGORIES:

A. CATEGORY I. B. (1) THROUGH (4) OMNIBUS REPLY FROM
EACH OF THE THREE ALLIES TO NOTES CIRCULATED IN UNESCO,
CATEGORY I. B. (CL-2349, CL-2362 AND TWO NOTES UNDER
CL-2385) BEGIN TEXT

1. I HAVE THE HONOUR TO REFER TO THE FOLLOWING
DOCUMENT: (HERE SHOULD FOLLOW A LIST OF THE RELEVANT
NOTES CIRCULATED IN UNESCO.)

2. THE GOVERNMENT OF (BLANK) WISHES TO POINT OUT THAT
THE STATES WHOSE NOTES ARE CONTAINED IN THE ABOVE
MENTIONED DOCUMENT ARE NOT PARTIES TO THE QUADRIpartite
AGREEMENT OF 3 SEPTEMBER, 1971 WHICH WAS CONCLUDED IN
BERLIN BY THE GOVERNMENTS OF THE FRENCH REPUBLIC, THE
UNION OF THE SOVIET SOCIALIST REPUBLICS, THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND OF THE
UNITED STATES OF AMERICA, AND ARE NOT THEREFOR COMPETENT
TO COMMENT AUTHORITATIVELY ON ITS PROVISIONS.

3. THE ABOVE NOTES CONTAIN INCOMPLETE AND THEREFORE
MISLEADING REFERENCES TO THE QUADRIpartite AGREEMENT. IN
THIS CONNECTION THE GOVERNMENT OF (BLANK) WISHES TO
DRAW ATTENTION TO THE FACT THAT THE PROVISION OF THE
QUADRIpartite AGREEMENT REFERRED TO IN THE NOTES STATES
THAT "THE TIES BETWEEN THE WESTERN SECTORS OF BERLIN
AND THE FEDERAL REPUBLIC OF GERMANY WILL BE MAINTAINED
AND DEVELOPED, TAKING INTO ACCOUNT THAT THESE SECTORS
CONTINUE NOT TO BE A CONSTITUENT PART OF THE FEDERAL
REPUBLIC OF GERMANY AND NOT TO BE GOVERNED BY IT".

4. THE GOVERNMENT OF (BLANK) DOES NOT CONSIDER IT
NECESSARY TO RESPOND TO ANY FURTHER COMMUNICATIONS
CONTAINING INCOMPLETE AND MISLEADING REFERENCES TO
PROVISIONS OF THE QUADRIpartite AGREEMENT FROM STATES
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WHICH ARE NOT SIGNATORIES TO THAT AGREEMENT. THIS SHOULD
NOT BE TAKEN TO IMPLY ANY CHANGE IN THE POSITION OF THE
GOVERNMENT IN THIS MATTER.

5. (APPROPRIATE FORM OF WORDS TO ACHIEVE SAME
CIRCULATION AS NOTES REFERRED TO ABOVE.) END TEXT

B. CATEGORY II I. B. (1) AND (2) OMNIBUS ALLIED REPLY

FROM EACH OF THREE ALLIES TO NOTES CIRCULATED IN UNESCO,
CATEGORY II. I. B. (CL-2399 AND CL-2351) BEGIN TEXT

1. (OPENING PARAGRAPH REFERRING TO APPROPRIATE
DOCUMENT.)

2. THE COMMUNICATIONS NOTED ABOVE CONTAINING
NOTES FROM THE GOVERNMENT OF THE GDR REFER TO THE

QUADRIPARTITE AGREEMENT OF 3 SEPTEMBER 1971. THIS AGREEMENT WAS CONCLUDED IN BERLIN BY THE GOVERNMENTS OF THE FRENCH REPUBLIC, THE UNION OF THE SOVIET SOCIALIST REPUBLICS, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND OF THE UNITED STATES OF AMERICA. CONSEQUENTLY THE GOVERNMENT OF THE GDR, NOT BEING A PARTY TO THIS AGREEMENT, IS NOT COMPETENT TO MAKE AUTHORITATIVE COMMENT ON ITS PROVISIONS.

3. THE QUADRIPARTITE AGREEMENT DOES NOT IMPOSE ANY REQUIREMENT REGARDING TERMINOLOGY TO BE USED BY THE FEDERAL REPUBLIC OF GERMANY WHEN EXTENDING TO THE WESTERN SECTORS OF BERLIN TREATIES OR AGREEMENTS TO WHICH IT HAS BECOME A PARTY NOR, OF COURSE, DOES THE AGREEMENT AFFECT TERMINOLOGY USED IN THE PAST.

4. IN ANY CASE THE USE BY THE FEDERAL REPUBLIC OF GERMANY OF THE TERMINOLOGY MENTIONED IN THE NOTES UNDER REFERENCE CAN IN NO WAY AFFECT QUADRIPARTITE AGREEMENT OR DECISIONS RELATING TO BERLIN.

5. CONSEQUENTLY THE VALIDITY OF THE BERLIN DECLARATION MADE BY THE FEDERAL REPUBLIC OF GERMANY IS UNAFFECTED BY THE USE OF THIS TERMINOLOGY.
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6. THE GOVERNMENT OF (BLANK) DOES NOT CONSIDER IT NECESSARY TO RESPOND TO ANY FURTHER COMMUNICATIONS OF A SIMILAR NATURE BY STATES WHICH ARE NOT SIGNATORIES TO THE QUADRIPARTITE AGREEMENT. THIS SHOULD NOT BE TAKEN TO IMPLY ANY CHANGE IN THE POSITION OF THE GOVERNMENT IN THIS MATTER.

7. (APPROPRIATE FORM OF WORDS TO ACHIEVE SAME CIRCULATION AS DOCUMENTS REFERRED TO ABOVE.) END TEXT.

3. FOR YOUR INFORMATION, FOLLOWING IS TEXT OF AGREED REPLY TO BE DELIVERED BY FRG IN RESPONSE TO NOTES RELATING TO CATEGORY II ABOVE. BEGIN TEXT

1. I HAVE THE HONOUR TO REFER TO THE FOLLOWING
DOCUMENTS:
(THERE SHOULD FOLLOW LIST OF THE RELEVANT CIRCULAR
NOTES)

2. WITH REGARD TO THESE COMMUNICATIONS, THE
PERMANENT REPRESENTATIVE OF THE FEDERAL REPUBLIC OF
GERMANY HAS THE HONOUR TO COMMUNICATE THE FOLLOWING:

BY THEIR NOTES OF , DISSEMINATED BY CIRCULAR
NOTES OF , THE GOVERNMENTS OF FRANCE, THE
UNITED KINGDOM AND THE UNITED STATES ANSWERED THE
ASSERTIONS MADE IN THE COMMUNICATIONS REFERRED TO ABOVE.
THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY ON THE
BASIS OF THE LEGAL SITUATION SET OUT IN THE NOTES OF THE
THREE POWERS WISHES TO CONFIRM THAT THE APPLICATION IN
BERLIN (WEST) OF THE ABOVE MENTIONED CONVENTIONS EXTENDED
BY IT UNDER THE ESTABLISHED PROCEDURES CONTINUES IN FULL
FORCE AND EFFECT.

3. THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY
WISHES TO POINT OUT THAT THE ABSENCE OF A RESPONSE TO
FURTHER COMMUNICATIONS OF A SIMILAR NATURE SHOULD NOT BE
TAKEN TO IMPLY ANY CHANGE OF ITS POSITION IN THIS MATTER.

4. (APPROPRIATE FORM OF WORDS TO ACHIEVE SAME.
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DISTRIBUTION AS THE NOTES REFERRED TO ABOVE). END
TEXT.

3. PLEASE ADVISE DEPARTMENT WHEN DELIVERY HAS BEEN
EFFECTED. INGERSOLL

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Message Attributes

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Draft Date: 04 APR 1975
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Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
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